

Heber City Corporation
City Council Meeting
October 16, 2014
6:00 p.m.

WORK MEETING

The Council of Heber City, Wasatch County, Utah, met in **Work Meeting** on October 16, 2014, in the City Council Chambers in Heber City, Utah

I. Call to Order
City Manager Memo

Present: Mayor Alan McDonald
Council Member Jeffery Bradshaw
Council Member Erik Rowland
Council Member Heidi Franco

Excused: Council Member Robert Patterson
Council Member Kelleen Potter

Also Present: City Manager Mark Anderson
City Recorder Michelle Kellogg
City Engineer Bart Mumford
City Planner Tony Kohler
Police Chief Dave Booth

Others Present: Lane Lythgoe, Margaret Gooch, Perry Gooch, Mike Johnston, Wes Bingham, Dennis Forbush, Brian Jacobson, Tess Thacker, Julie Carroll and others whose names were illegible.

Mayor McDonald welcomed those in attendance and excused Council Members Patterson and Potter. He noted in talking with members of the County Council, they wanted to have a meeting with the City Council to discuss the bypass road. The County Council suggested meeting for dinner at the HUB on November 5th at 7:00 p.m. Council Members Franco and Bradshaw noted they were able to attend and Council Member Rowland indicated he would try to make arrangements to attend as well.

A. Discuss Proposed Amendments to the General Plan Land Use Map and the Heber City Zoning Map for Property Located at 1600 South Highway 40 from Highway Commercial to Mixed Use Zone
Zone Change

Kohler explained this was a request for a Mixed Use Residential/Commercial Zone (MURCZ). He noted the engineer, Mike Johnston, architect, Lane Lythgoe, and the owner, Perry Gooch,

were here tonight. It was noted about one third of the property would be for housing, with a similar layout to the Riverwoods area in Provo. The bypass would go along the northern boundary and discussions on acquiring that land would need to be scheduled. Lane Lythgoe stated the 36.5 acres was located at 1590 South Highway 40. The goal was to have a mixed use community with neighborhood services. He showed a concept plan for the area which included land dedicated to the bypass road. There would be a residential area, a retail area and a plaza for people to gather. The residential units would be three stories high with parking located both inside and outside the cluster of housing units.

Council Member Rowland asked if this development would go behind the gas station. Mr. Gooch indicated he didn't own the gas station so the gas station would remain, but the mill behind the gas station would be removed with this development. Gooch indicated one hesitation with developing a retail area was that the Boyer Company had not built out the Walmart complex yet, but he knew there was a demand for high density residential units in the City. There was discussion on a proposed access point to the bypass. One option given was a right-in, right-out only access.

Council Member Rowland asked how many residential units were proposed. Lythgoe indicated 180-190 total units had been planned for this project. Kohler stated that the Planning Commission recommended having a mix of residential apartments, condominiums, and townhomes, consisting of both rentals and single-family owned units. Council Members Bradshaw, Rowland and Franco were in favor of proceeding with this project and advancing this item to the next regular City Council meeting. Anderson asked Kohler to discuss the recommendations from the Planning Commission. Kohler reiterated the Planning Commission's recommendation for a mixture of residential units. Gooch indicated it was his understanding that the recommendation was limited to no more than 30% of the parcel could be developed as residential and no more than 30% of the parcel could be assigned as open space. He stated there was no mention of mixed residential at that meeting.

Chief Booth stated that mixed use zones were nice, but they created many problems: delivery trucks beeped going backwards which would wake residents, and speeders traveling to the retail areas would cause complaints from the tenants as well. He suggested one option would be to have the tenants sign an agreement which would state that they understood this would be a noisy and busy area. Otherwise, many police calls would be received from this area.

Gooch indicated he and the engineer had brainstormed to minimize complaints. The roundabout would slow down traffic to the retail areas. He felt there were other things that could be done to mitigate the noise levels as well. Council Member Rowland thought with this close knit engineered community, the residents could perceive that the retail was "theirs," and they would need to understand the retail would be public. Mayor McDonald asked that the bypass be worked out and agreed upon by all parties.

B. Update on the Development of the Airport Industrial Park Industrial Park Concept

Upon looking at the concept plan, Mayor McDonald asked if the City would develop the roads and infrastructure or just sell the lots. Anderson stated he had met with Council Member Rowland, Ryan Starks and Brad Baird, and the concept design was a result of the requests coming from this group. He indicated Probst Electric was interested in the 15 acre parcel that had limited sewer access. Anderson noted he also met with Millstream, and they estimated the infrastructure could be constructed for approximately \$1.2 million. He also indicated the lot sales would have to be transparent and public, so everyone would have the opportunity to buy the parcels. He thought there was enough interest in the property that it could be sold and the City would have money to pay for the infrastructure. He also thought the design could be done over the winter months so construction could start in the spring.

Council Member Franco asked if this area was in the Sexually Oriented Business (SOB) zone. Anderson stated the north part of the parcel was within that zone. Kohler stated the SOB zone needed to be expanded because he didn't think the current zone could withstand a challenge should that type of business want to locate in the City. Council Member Rowland asked if the City could develop the parcels in phases. Anderson felt the roads needed to be completed, and the City had the resources to accommodate that. Mayor McDonald was in favor of supporting local businesses that wanted to buy these parcels. Anderson suggested the City begin the process of seeking interested buyers. Mayor McDonald hoped the City could focus on businesses that would bring core jobs, such as light industrial businesses. Council Member Rowland indicated this was an area that was not visible, so it was difficult for him to envision what type of industries would be attracted to this area.

Anderson stated he would work with Starks to develop a request for proposal. Council Member Franco wanted conditions included that buyers would beautify the area. Anderson stated the City should address landscaping requirements through the zoning ordinance.

C. Discuss Purchase of Additional Hydro Excavator

Mayor McDonald indicated the request for this machine would need to be made now for it to arrive by next summer. Anderson stated if the City was in favor of financing the machine, he would recommend a five year loan. His concern was that the current revenues were insufficient to pay for these expenses as well as for deteriorating infrastructure. Council Member Franco asked what the City's bond rating was. Anderson stated the City never borrowed enough money that would require a bond rating. He indicated the airport property was owned by the Water Fund, Sewer Fund, and General Fund. If that land was to be sold, the proceeds could go towards paying off the loan for the hydro excavator. He noted that there was also a need to expand the Public Works facility, which had substandard storage capacity. The Council agreed to proceed with ordering this equipment.

Chief Booth indicated his department was working on crosswalk enforcement, and had issued nine citations within an hour. Now, Facebook had lit up with many negative comments. He remarked that half the citations issued were from local residents. Council Member Rowland asked if it would be appropriate to issue warnings, more as an education element of public relations. Chief Booth didn't think warnings would change behavior. Council Member Bradshaw

hoped that each time the enforcement for crosswalks was performed, that there would be fewer citations issued. He thought this would indicate more compliance with this law, and noted if there were always the same number of offenses, it would mean this tactic was not working.

Anderson noted that he, Mumford, Chief Booth and Kohler met with Brian Phillips, who worked in Traffic Operations at UDOT. Phillips tentatively agreed to come to the November 6th City Council meeting to discuss the Main Street issue further. In their meeting, they discussed installing self-activated blinking pedestrian signs. The City would be required to pay for the power if these signs were installed, and they would only flash when somebody approached the intersection. These signs would not go over the street, but would be located on a pole on the side of the street. Chief Booth indicated UDOT wouldn't support the "over the street" sign. It was indicated that Phillips oversaw State roads in this region.

D. Discuss City Council Open House Format

Mayor McDonald stated the open house scheduled for November 20th would be advertised in the City newsletter and published in *The Wasatch Wave*. He didn't want debates, but concerns could be expressed from those attending the meeting. Council Member Rowland thought it might be good to come up with five or six topics on which the public could come and give feedback. Mayor McDonald recommended providing notepads, so that people could submit written comments if they didn't want to speak publicly about them. Council Member Rowland also suggested the opinions given could be used for discussion at the City Council retreat. He suggested the slogan for the open house could be "Counsel the Council" night. Mayor McDonald asked for topics that could be included in the public notice.

Council Member Franco hoped the retreat could be named a strategic planning session with senior staff that would be open to the public. Council Member Rowland expressed that this building should be used for public thought, where the public could come to collaborate and work with the Council to create a vision for the City. He thought the retreat should be here at the City Offices, and felt holding the meeting here would attract public feedback.

Council Member Franco proposed that one topic for the open house could be updating the City website to better connect with constituents online.

Anderson stated from staff perspective, the retreat was used as a budget kickoff, where staff were able to share their current needs, and the Council could share their vision for the future. More discussion ensued on the need for public participation and public awareness of City staff duties. Anderson proposed reviewing the City Mission Statement and Vision Statement. He felt it would be a two or more day session to flesh out those statements. Council Member Franco wanted staff to bring a list of proposed ordinances for the coming year to the retreat so the Council could be prepared for what would be coming before them. Council Member Rowland felt the revamped Mission Statement and Vision Statement would be needed first before the Council began requesting lists.

Council Member Bradshaw stated he agreed with the remarks that the public should be more involved, but in the seven years he served on the Council and having served on many boards

prior to that, he observed that people came to meetings if there was an issue that involved them. After the particular issue was discussed, they would leave the meeting. He felt the public opinion meeting would not bring the amount of people the Council hoped because most people didn't care to get involved. Anderson remarked that if invitations were sent to key people, then they would be more likely to come to the open house.

Council Member Franco proposed that the Main Street issue could also be a topic for the list of things to be discussed at the open house.

E. Board Reports from Council Members

Council Member Bradshaw: The Heber Light and Power Board was buying two natural gas generators. They were also going through the process of hiring a new manager and working on next year's budget.

The Weed Board praised Heber City Code Enforcement Officer, Ramona Pace, for her efforts. The Tourism Board was celebrating its 20th anniversary of Cowboy Poetry. They were also involved in the Zions Bank new building open house.

Council Member Rowland: The Sewer Board was going to study its impact fees.

The Airport Industrial Park issue had previously been discussed.

The Airport Board would bring recommendations to the Council on issues relating to rates, hangar extensions and FBO extensions.

Council Member Franco: The Housing Board had several ongoing projects that would provide more affordable housing to qualified individuals. She indicated the Board received a couple of applications per month for assistance. A link would be added to the City website to direct people to the Affordable Housing website.

Mayor McDonald: The Heber Valley Railroad Board had almost eliminated their debt. They hoped the steam engine would be operable by the first of the year. Their application for a federal loan to refinance some of their debt was not approved. He noted they had great ideas for attracting people to ride the train.

Council Member Franco asked if Mike Bardole was still able to access the tailings from the airport project. Anderson stated that was still the plan. She asked if The Smoke Shop agreement had been signed, and it was indicated the agreement had been signed. Council Member Franco also asked about the status of erecting stop signs in the City. Anderson indicated the project should be finished in two to three weeks.

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder